

**SUMMARY NOTICE OF PENDENCY OF CLASS ACTION AND
PROPOSED SETTLEMENT, MOTION FOR COSTS,
AND FAIRNESS HEARING**

ATTENTION PREMARIN® PURCHASERS

To: All persons or entities who purchased or paid for PREMARIN® at anytime from March 24, 1999 to [] in Arizona, Florida, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, New Mexico, North Carolina, North Dakota, South Dakota, Tennessee, Vermont, West Virginia or Wisconsin, or all “Third-Party Payors” who paid for or reimbursed for PREMARIN® in Nevada from October 1, 1999 to []:

A settlement has been proposed in a class action lawsuit alleging that the manufacturer of Premarin® violated federal antitrust laws and the state antitrust, unfair competition, and unjust enrichment laws in the states listed above by entering into allegedly exclusive rebate contracts covering Premarin® with managed care organizations such as HMOs, insurance companies, or pharmacy benefit managers (“Third-Party Payors”). NO QUESTION IS RAISED ABOUT THE SAFETY OR EFFECTIVENESS OF PREMARIN®. Defendants deny that they committed any violation of law or any wrongdoing or that they have any liability with respect to Plaintiffs or the Class. In fact, Defendants prevailed in a related class action pending before the Court in *J.B.D.L. Corp. v. Wyeth-Ayerst Labs., Inc.*, No. 1:01-cv-704, 2005 WL 1396940 (S.D. Ohio June 13, 2005) (“*J.B.D.L.*”). In the *J.B.D.L.* class action, the Court dismissed substantially identical claims brought by “direct purchasers” of Premarin® (*e.g.*, wholesalers and retail chain pharmacies) on summary judgment, meaning that the Court ruled that the claims in *J.B.D.L.* were legally insufficient for the case to proceed to trial. The Court’s ruling in *J.B.D.L.* is currently on appeal before the United States Court of Appeals for the Sixth Circuit. **You may have important legal rights under this settlement, some of which you must act on by _____, 2007.**

For a Class Action Notice Package with the full details of this settlement, please call:

[TOLL-FREE NUMBER]

or you may write to:

**Premarin Notice Administrator
Complete Claim Solutions
[Address]**

or you may visit the website at [www.premarinsettlement.com].